

INSTRUCTIONS FOR FILING A HISTORIC PRESERVATION PERMIT

INSTRUCTIONS

Please prepare the plans, forms and other required information listed below and return them, by appointment, to the Department of Planning, Building and Code Enforcement. Applications will only be accepted for processing if they are complete. Please read *"The Secretary of the Interior's Standards for Rehabilitation"* which is attached to this application. The Standards for Rehabilitation are basic principles to help preserve the distinctive character of a historic building and its site.

1. **Completed Application Forms.** A separate application shall be filed for each site. Each application shall be signed by all owners of the real property included in the site or by a person having the lawful power of attorney therefore or by a qualified tenant. The application may designate an agent who has full authority to act on behalf of the applicant, except that the agent may not sign the application, acceptance or withdrawal. Original signatures are required.
2. **Description of Parcel Property.** A legible, separate legal metes and bounds description on a 8 1/2" x 11" page(s) covering the area of this application, or lot and tract numbers on a 8 1/2" x 11" page(s) with a copy of the recorded tract map attached, and a plot map delineating the permit area.
3. **County Assessor's Parcel Map.** Provide a copy of the Assessor's Parcel Map (APN) showing the subject property. This map can be obtained from the County Assessor's Office at 70 West Hedding Street, 5th Floor, San Jose, CA or from the Planning Division, City Hall, Room 400.
4. **Noticing the Neighborhood.** Refer to the Public Outreach Policy for a full description of the City's public notification procedures. Public Hearing notices will be mailed for development proposals at least 10 calendar days before the date set for hearing for a project. Notices will be sent to all property owners and residents within 300 feet for Very Small projects, 500 feet for Standard Development Proposals and a minimum of 1,000 feet for large or controversial projects as detailed in the Public Outreach Policy.

5. **Development Plan Sets.** Seven plan sets that include:

- Title Sheet
- Land Use Plan (from the General Development Plan, if applicable)
- Site Plan
- Grading and Drainage Plan, if applicable to the project
- Elevations, architectural details, etc.

Plus one Landscape Plan, if applicable. A description of the Development Plan Set requirements is included with these instructions.

6. **Photographs.** Photographs of existing elevations of all structures. Each photograph shall be labeled.
7. **Environmental Review.** A complete application for the appropriate environmental document or some evidence that environmental review has been completed for this project.
8. **Fees.** Application fees are required for the Historic Preservation Permit. An Environmental Clearance Application fee may be required and a Public Noticing Fee is applicable (see fee schedule). Checks are made payable to the "City of San Jose".
9. **Name of Property.** Provide the name of the property, generally a street address. If the building is known by a historic name, include the name also. (These names should be consistent with the names provided on the Part 1 or on the National Register nomination.) If it is in a registered historic district, provide the name of the district.
10. **Data on Building and Rehabilitation Project.** Provide date of construction, type of construction (e.g., masonry bearing wall, wood frame, steel frame, concrete.) Give the use(s) of the building before rehabilitation, the proposed use after rehabilitation. Give the approximate floor area before rehabilitation in square feet and approximate floor area after rehabilitation in square feet.

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11. **Detailed Description of Rehabilitation Work.** Begin by describing site work, followed by work on the exterior, including new construction. A separate block should be used to describe each work item and its effect on architectural features or spaces. Identify the architectural feature requiring work and indicate whether the feature described is original to the building, was added at a later date, or is new construction

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DEVELOPMENT PLAN SET

The Development Plan Set shall set forth, show and delineate the following:

1. All sheets shall be of uniform size - 24" x 36" is the maximum sheet size (sheets of larger size shall require prior approval before filling the application).
2. All sheets shall be numbered in proper sequence and numbers located in the lower right hand corner of each page.
3. All sheets shall be dated and adequate space provided for dates and nature of all revisions.

Sheet No. 1. Title Sheet:

- a. Name of project and description of proposed use
- b. Listing of any prior development permits issued for the subject site
- c. Table of contents listing all plan set sheets, their content and page number
- d. Note Landmark designation and resolution numbers

Sheet No. 2. Site Plan: drawn to scale, may require more than one sheet labeled "Site Plan" to include the information listed below:

- a. Location map and Assessor's Parcel Numbers
- b. Statement and tables:
 1. Total acres of subject property (net and gross)
 2. Total number of dwelling units
 3. Total existing and proposed gross square footage of floor space for each non-residential use
 4. Total existing and proposed net square footage of floor space (85% of gross) for each non-residential use
 5. Total number of existing and proposed off-

- street parking and loading spaces
6. Percentage of proposed site coverage for buildings, off-street parking and loading, and landscaping
7. Residential density (number of dwelling units per acre)
- c. Use of all adjacent properties (indicate any historic designated properties), including location of any buildings or freeways within 50 feet of property lines
- d. Dimensions of subject property and all existing lot lines
- e. All existing and proposed buildings, structures and wells and their proposed uses, including the proposed removal of any building (information should be clearly delineated on the site plan)
- f. Proposed off-street parking, loading, and circulation areas
- g. All existing and proposed public and private easements for utility, drainage, sewer, parking, access and other purposes, and all easements on surrounding properties benefitting the subject property
- h. Fully dimensioned public right-of-way improvements for both sides of adjacent streets showing accurate locations for existing and proposed facilities such as streets, curbs, sidewalks, sidewalks planters, street trees, utility poles, electroliers, traffic signs and signals, storm sewers, sanitary sewers, fire hydrants, median island and median island openings, project driveways, driveways on opposite street frontages, bus stops, drainage inlets and manholes
- i. Location of existing and proposed on-site lighting fixtures

Sheet No. 3. Grading and Drainage Plan:

- a. Topography with pad elevations for the site and all property within 50 feet
- b. Existing trees, specifying size, species, condition and disposition
- c. All existing and proposed retaining walls, swales and inlets

Sheet No. 4. Building Elevations:

- a. Dimensioned elevations of all exterior walls
- b. Type of roof, wall and trim materials, colors and textures
- c. Attached and detached sign details, designs and locations
- d. Changes or additions to existing buildings or materials clearly identified

Sheet No. 5. Floor Plan:

- a. Total gross floor area
- b. Total square footage of leasable floor area (i.e. 85% of gross)

Sheet No. 6. Landscape Plan:

- a. All areas to be landscaped, whether maintenance is to be public or private (Public maintenance areas are subject to City Standards and must be included in improvement plans for a Public Works Clearance)
- b. Location, size and identification of each tree, shrub, ground cover and other landscape feature
- c. All property lines and street names
- d. Location of existing and proposed walks, driveways, fences, pools, ponds, water features, retaining walls
- e. Typical details of spray, ground cover, shrub, and tree irrigation installations
- f. Standards for class of irrigation pipe, depth of pipe and backflow preventers

Note: A conceptual irrigation plan may be required for some projects once the site layout is resolved. Refer to the City of San Jose Landscape and Irrigation Guidelines for required details.

Sheet No. 7. Details:

- a. Details for proposed fences, walls, trash enclosures, roof equipment screening and lighting
- b. Details for any atypical building features

PROCESSING SCHEDULE**Planning Staff:**

- Checks the application for completeness.
- Logs in application, assigns a File Number and collects application fees.
- Reviews application with other City departments and obtains any pertinent data.
- Environmental review for project is assessed and completed
- Refers the project to the Historic Landmarks Commission for input
- Prepares project for Director's Hearing which includes public hearing notices and recommendation to the Director of Planning.

Director of Planning:

- The Director conducts a public hearing
- Director reviews the recommendation and approves, conditional approves, or denies the requested application
- An approval, conditional approval or denial of the Director of Planning may be appealed to the City Council within ten (10) days of the decision

City Council:

- The City Council will consider and act upon the appeal
- If the appeal is denied, the decision of the City Council shall be final
- If the appeal is granted, the decision shall be effective immediately

HISTORIC PRESERVATION PERMIT/APPLICATION

TO BE COMPLETED BY THE PLANNING STAFF

FILE NUMBER HP				RECEIPT #: _____
PROJECT LOCATION				AMOUNT: _____
ZONING	GENERAL PLAN	COUNCIL DISTRICT	INVENTORY NUMBER	DATE: _____
				BY: _____

TO BE COMPLETED BY THE APPLICANT (PLEASE PRINT OR TYPE)

Pursuant to the Provisions of Chapter 13.48 of the San Jose Municipal Code, application is made to request a:		
<input type="radio"/> HISTORIC PRESERVATION PERMIT		
FOR THE PROPERTY LOCATED AT:		
ASSESSOR'S PARCEL NUMBER(S) (APN)	GROSS ACREAGE	NET ACREAGE
EXISTING USE OF PROPERTY		
PROPOSED USE OF PROPERTY OR SUBJECT OF AMENDMENT		
IF PROPOSAL IS RESIDENTIAL - NUMBER OF UNITS	IF PROPOSAL IS NON-RESIDENTIAL - NEW GROSS BUILDING SQUARE FOOTAGE	
<p>THE FOLLOWING EXHIBITS ARE ATTACHED HERETO AND MADE A PART THEREOF BY REFERENCE.</p> <p><input type="radio"/> A LEGAL DESCRIPTION OF SUBJECT PROPERTY - EXHIBIT A</p> <p><input type="radio"/> THE COMPLETE DEVELOPMENT PLAN SET FOR THE SUBJECT PROPERTY, ENTITLED _____</p> <p>DATED / / AND LAST REVISED / / ,</p> <p>CONSISTING OF _____ SHEETS</p>		

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AFFIDAVIT OF OWNERSHIP

THE UNDERSIGNED HEREBY DECLARE THAT THE FOLLOWING IS TRUE AND CORRECT:

1. The undersigned are all the owners of all the property described in Exhibit A - Legal Description of Subject Property, or tenants of the entire subject site with a recorded lease and a term remaining of at least five years.
2. The development plans a part of this application show the exact location, size, and use of all easements on the subject site and all easement on surrounding properties benefiting the subject property.
3. If there are any existing active or deactivated water wells on your property, they must be shown on your plans. The property which is the subject of this application:

_____does contain existing active or deactivated water wells and they are shown on the plans accompanying this application

_____does not contain existing active or deactivated water wells.

4. In conformance with Section 65962.5 of the California Government Code, and as owner(s) of the property referenced below, I(we) hereby certify that I(we) have reviewed the list of Hazardous Waste and Substance Sites within the City of San Jose, as compiled by the State Office of Planning and Research. The property which is the subject of the above-referenced application is_____ is not_____included on said list.

If included on the List, the listed item reads as follows:

PRINT NAME OF PROPERTY OWNER		DAYTIME TELEPHONE # ()	
ADDRESS	CITY	STATE	ZIP CODE
NAME OF FIRM, IF APPLICABLE		TITLE OR OTHER OFFICIAL CAPACITY]	
SIGNATURE			DATE
] PLEASE STATE IF YOU ARE A PARTNER, PRESIDENT, VICE-PRESIDENT, ETC...			
IF THERE ARE ADDITIONAL PROPERTY OWNERS, PLEASE USE THE FOLLOWING PAGE TO PROVIDE THE ABOVE INFORMATION.			

AFFIDAVIT OF OWNERSHIP

THE UNDERSIGNED HEREBY DECLARE THAT ITEMS 1 THROUGH 4 ON PAGE 2 OF THIS APPLICATION ARE TRUE AND CORRECT, AND DECLARE THAT THEY UNDERSTAND THAT ITEM 5 ON PAGE 2 OF THIS APPLICATION APPLIES TO THEIR PROJECT:

PRINT NAME OF PROPERTY OWNER		DAYTIME TELEPHONE # ()	
ADDRESS		CITY	STATE ZIP CODE
NAME OF FIRM, IF APPLICABLE		TITLE OR OTHER OFFICIAL CAPACITY]	
SIGNATURE		DATE	

PRINT NAME OF PROPERTY OWNER		DAYTIME TELEPHONE # ()	
ADDRESS		CITY	STATE ZIP CODE
NAME OF FIRM, IF APPLICABLE		TITLE OR OTHER OFFICIAL CAPACITY]	
SIGNATURE		DATE	

PRINT NAME OF PROPERTY OWNER		DAYTIME TELEPHONE # ()	
ADDRESS		CITY	STATE ZIP CODE
NAME OF FIRM, IF APPLICABLE		TITLE OR OTHER OFFICIAL CAPACITY]	
SIGNATURE		DATE	

PRINT NAME OF PROPERTY OWNER		DAYTIME TELEPHONE # ()	
ADDRESS		CITY	STATE ZIP CODE
NAME OF FIRM, IF APPLICABLE		TITLE OR OTHER OFFICIAL CAPACITY]	
SIGNATURE		DATE	

] PLEASE STATE IF YOU ARE A PARTNER, PRESIDENT, VICE-PRESIDENT, ETC...			
IF THERE ARE ADDITIONAL PROPERTY OWNERS, PLEASE ATTACH A SEPARATE COPIES OF THIS PAGE TO PROVIDE THE ABOVE INFORMATION.			

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CONTACT PERSON

That for the purpose of processing and coordination of this application, the following person is my (our) designated representative/contact person:

PRINT NAME OF CONTACT PERSON		NAME OF FIRM, IF APPLICABLE	
ADDRESS		CITY	STATE ZIP CODE
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	

PROJECT DEVELOPER

PRINT NAME OF PROJECT DEVELOPER (IF DIFFERENT THAN OWNER)		NAME OF FIRM, IF APPLICABLE	
ADDRESS		CITY	STATE ZIP CODE
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	

ARCHITECT and ENGINEER

PRINT NAME OF ARCHITECT		NAME OF FIRM, IF APPLICABLE	
ADDRESS		CITY	STATE ZIP CODE
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	
PRINT NAME OF ENGINEER		NAME OF FIRM, IF APPLICABLE	
ADDRESS		CITY	STATE ZIP CODE
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	

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HISTORIC PRESERVATION PERMIT CHECK SHEET

NOTICE TO APPLICANT: Do not complete this form. Present at time of application. Your application will be accepted **only** if **all** items are included in correct form and numbers. Please be advised, however, that the items on this check sheet do not necessarily constitute a complete application. Additional items may be required to complete the review of your project.

FILE NUMBER		STAFF	DATE RECEIVED
REQUIRED COPIES	DOCUMENTS		
1	APPLICATION FORM correctly filled out <ul style="list-style-type: none"> <input type="checkbox"/> Applicant(s) - listed as owner(s) or qualified tenants of subject property <input type="checkbox"/> Signature(s) of owner(s) listed above <input type="checkbox"/> Contact Person identified <input type="checkbox"/> Architects, Engineers and Developers identified <input type="checkbox"/> Affidavit Page signed by owner(s) 		
1	LEGAL DESCRIPTION <ul style="list-style-type: none"> <input type="checkbox"/> Single metes and bounds description of entire property or <input type="checkbox"/> Lot and tract number from recorded subdivision map, and copy of said tract map <input type="checkbox"/> Plot map of delineating the Permit Area (8 1/2" x 11") 		
1	<input type="checkbox"/> COUNTY ASSESSOR'S MAP		
7 sets 10 extra 1 extra	DEVELOPMENT PLAN (consult application instructions for specific requirements) <ul style="list-style-type: none"> <input type="checkbox"/> Attached in sets in correct order <ul style="list-style-type: none"> <input type="checkbox"/> Title Sheet <input type="checkbox"/> Land Use Plan from General Development Plan set, if property is zoned PD <input type="checkbox"/> Site Plan <input type="checkbox"/> Grading and drainage, if applicable <input type="checkbox"/> Floor plans <input type="checkbox"/> Building Elevations <input type="checkbox"/> Landscape plan, if applicable <input type="checkbox"/> Details 		
5 1	ENVIRONMENTAL REVIEW <ul style="list-style-type: none"> <input type="checkbox"/> Draft EIR or <input type="checkbox"/> Completed Application for Environmental Clearance which includes: <ul style="list-style-type: none"> Photographs Vicinity and location maps Signed disclosure forms <input type="checkbox"/> Request for Environmental Exemption or <input type="checkbox"/> Some evidence that environmental review has been completed 		
	FEES <input type="checkbox"/> Application Fees <input type="checkbox"/> Environmental Fees <input type="checkbox"/> Public Noticing Fees		

The Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior's Standards for Rehabilitation are ten basic principles created to help preserve the distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs. The underlying concern expressed in the Standards is the preservation of significant historic materials and features of a building in the process of rehabilitation. The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility.

The Standards (**36 CFR Part 67**) apply to historic buildings of all periods, styles, types, materials, and sizes. For the purposes of the City of San Jose's Historic Preservation Permit, the Standards are applied to exterior work, not interior work. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.

This information is drawn from the National Parks Service website http://www2.cr.nps.gov/e-rehab/getoknow_index.htm

Part of the application should have spaces for the applicant to describe how their project meets these standards.

Standard 1: Choose an appropriate use.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

✓ *Choosing an acceptable use for a historic building is the first important step toward its preservation. Of course, continuing to use a building for its historic purpose tends to minimize the need for change, so is preferred. But many times that is not possible, so Standard 1 allows for a change of use, such as using a historic residential building for a commercial purpose. It is important to keep in mind, however, that a new use that requires extensive changes to historic materials, features, finishes, and spaces will likely violate Standard 1.*

destroying historic landscape features, such as a cast iron fence or major plantings. On the other hand, making changes to a non-significant rear elevation may be acceptable if the alterations are in keeping with the overall appearance of the building. Similarly, secondary interior spaces may often be altered successfully in rehabilitation—as may non-significant landscape features—and a project can meet Standard 2.

Standard 2: Preserve character-defining materials and features.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

✓ *Each historic building and its site has special visual qualities that should be preserved. Removing, altering, or covering over distinctive materials, features, and spaces is inappropriate. Some specific actions to avoid include making major changes to the front of a building or other significant elevations; altering a distinctive interior plan; removing historic plaster to expose a brick wall; installing a new ceiling that destroys a historic plaster cornice; or*

Standard 3: Retain the sequence of historical development.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

✓ *A historic building is an important record of its past, reflecting its original construction as well as its various uses and changes over time. To make a building appear as if it were older than it actually is, for example, by applying an earlier architectural style or decorative details, will falsify its history and, as a result, not meet Standard 3.*

Standard 4: Consider later changes as potentially significant.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- ✓ *Buildings evolve over time as the people who live and work in them decide to make changes. This may include alter-*

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ations and additions (such as new storefronts, porches, windows, rooms, and even entire floors). Sometimes these changes have acquired significance in their own right because they provide evidence of the historical evolution of the building or are important examples of an architectural style, material, or method of construction. To meet Standard 4, significant later changes need to be retained during rehabilitation; on the other hand, non-significant later changes may be removed.

Standard 5: Protect distinctive construction and craftsmanship.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- ✓ *Architectural and landscape features play a major role in defining the unique historic appearance of a building and its site. Removing or drastically altering distinctive features, such as a porch, bay, chimney, decorative detailing, walkways, or trees can result in the loss of that special character and violate Standard 5. Other visual changes, such as painting historically unpainted brick or stone walls, are also inappropriate.*

Standard 6: Repair rather than replace.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- ✓ *Since a building's historic character is really the sum of its parts, it is always best to retain and repair distinctive historic features. But when a feature is too deteriorated to repair, then it has to be replaced. The replacement feature should match the historic one, based on physical, pictorial or documentary evidence—never on conjecture! It is always preferable to use the same material too; for example, replacing a badly deteriorated wood bracket with a new wood bracket will meet Standard 6*

Standard 7: Avoid destructive physical and chemical treatments.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

- ✓ *Buildings are often cleaned to remove harmful pollutants or chemicals from surfaces. Sometimes buildings are cleaned to make them more attractive. Whatever the reason, it is important that destructive methods be avoided and gentle methods used. Sandblasting, for example, will destroy the surface of brick and stone, pit most metals, and raise the grain on wood. Using chemicals incorrectly will also damage historic materials. Similarly, the incorrect use of water or steam to clean a building may damage historic materials and not meet Standard 7.*

Standard 8: Protect significant archeological resources.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- ✓ *When an archeological discovery is made during rehabilitation (for instance, when excavating for a foundation for an addition or grading for a new parking lot), a trained archeologist should be called in to evaluate the findings. Significant archeological resources should be protected and preserved in place. If this is not possible, the archeological material should be documented and recovered according to accepted practices. If human remains are uncovered, stop work immediately and consult with appropriate state and local officials—it's the law in every state.*

Standard 9: Make alterations and new additions compatible.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- ✓ *When extra space is needed for a new use, historic building owners may consider constructing an addition. A new addition needs to be designed with sensitivity to protect distinctive historic materials and features from damage or destruction. The new work also needs to be compatible with the historic building's character. Compatibility between old and new is achieved through the thoughtful application of basic architectural principles (massing, size, scale, setback, rhythm, and proportion), as well as the selection of appropriate materials and color. A compatible new addition will meet Standard 9. However, creating a new addition that so closely resembles the historic building that old and new are indistinguishable will fail to meet Standard 9.*

Standard 10: Make new additions reversible.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

✓ *A new addition should be constructed in a manner that—if removed at a later date—the historic building’s distinctive form and materials would be kept intact to the greatest extent possible. Standard 10 is often called the “principle of reversibility.” Generally, placing an addition on a non-significant side or rear elevation can help achieve this goal, as well as being mindful of the addition’s size and scale.*

INFORMATION FOR APPLICANTS

BEFORE YOU BEGIN REHABILITATION

From the National Parks Service website

Before you begin rehabilitation, the historic building and its site should be documented, evaluated, assessed, and the work carefully planned. This will provide a history of the property, its occupants, and its uses over time, but perhaps more important, it will help guide your decisions about what must be repaired and preserved during rehabilitation, and what may be altered, if necessary, for the ongoing or new use.

DOCUMENT

The history and evolution of the building by researching written and graphic documents found in libraries, archives, and historical society collections, as well as National Register of Historic Places listings. Then examine the building itself, taking photographs of the interior, exterior, and the site before you begin any work.

EVALUATE

Original materials, features, finishes, and spaces as well as changes that have occurred with different occupancies and uses. The changes may or may not be an integral part of the historic character so they need to be considered very carefully prior to work.

ASSESS

The physical condition of historic materials, features, finishes, and construction systems to determine those that are sound, those that require repair, and those that may need to be replaced. PLAN A rehabilitation project to decide how historic materials, features, and finishes should be protected during construction, as well as to establish a logical sequence for the work.

For more information, please refer to the National Parks Service website: http://www2.cr.nps.gov/e-rehab/beforebegin_index.htm

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